

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TROY WHITE,  
Petitioner,  
v.

CALVIN JOHNSON, *et al.*,  
Respondents.

Case No. 2:21-cv-01800-GMN-VCF

**ORDER**

In this habeas corpus action, the respondents were due on December 9, 2022, to respond to the motion for stay and abeyance (ECF No. 25) filed by Petitioner Troy White. See Order of November 9, 2022 (ECF No. 27).

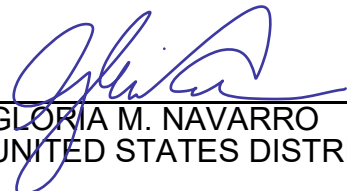
On December 10, 2022, Respondents filed a motion for extension of time (ECF No. 28), requesting a 14-day extension of time, to December 23, 2022, to respond to the motion for stay and abeyance. Respondents' counsel states that the extension of time is necessary because of illness, her workload, and time away from her office. Respondents' counsel states that White, who is represented by appointed counsel, does not oppose the motion for extension of time.

The motion for extension of time was filed after the expiration of the time period that Respondents ask to extend. In such a case, the moving party is generally required to show excusable neglect with respect to the failure to file the motion for extension of time before the expiration of the subject time period. See LR IA 6-1(a). Respondents make no mention of this requirement in their motion for extension of time. On this occasion, the Court will look past this shortcoming of Respondents' motion in view of the fact that the motion for extension of time is made primarily because of counsel's personal health issues.

1 The Court further determines that the motion for extension of time is made in  
2 good faith and not solely for the purpose of delay, and that there is good cause for the  
3 extension of time.

4 **IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement  
5 of Time (ECF No. 28) is **GRANTED**. Respondents will have until and including  
6 December 23, 2022, to respond to Petitioner's motion for stay and abeyance  
7 (ECF No. 25). In all other respects the briefing of the motion for stay and abeyance and  
8 the pending motion to dismiss (ECF No. 23) will proceed as scheduled in the order  
9 entered November 10, 2022 (ECF No. 27)

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11 DATED THIS 13 day of December, 2022.

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14 GLORIA M. NAVARRO  
15 UNITED STATES DISTRICT JUDGE  
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